

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDJUAN C. SCOTT,

Plaintiff,

v.

VALLADALIS, *et al.*,

Defendants.

Case No. 1:20-cv-00752-NONE-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS REGARDING
DENIAL OF PLAINTIFF'S MOTION TO
PROCEED *IN FORMA PAUPERIS*

(Doc. Nos. 5, 7)

TWENTY-ONE (21) DAY DEADLINE

Plaintiff Edjuan C. Scott is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

On June 17, 2020, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's application to proceed *in forma pauperis* be denied and that he be required to pay the \$400.00 filing fee in full to proceed with this action because: (1) he is subject to the three strikes bar pursuant to 28 U.S.C. § 1915(g); and (2) the allegations of plaintiff's complaint do not satisfy the "imminent danger of serious physical injury" exception to § 1915(g). (Doc. No. 7.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) No objections have been filed, and the deadline to do so has expired.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the

magistrate judge's findings and recommendations are supported by the record and proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations, (Doc. No. 7), issued on June 17, 2020, are adopted in full;
2. In accordance with 28 U.S.C. § 1915(g), plaintiff's application to proceed *in forma pauperis* (Doc. No. 5) is denied; and
3. Within **twenty-one (21) days** following the date of service of this order, plaintiff shall pay the \$400.00 filing fee in full to proceed with this action. If plaintiff fails to pay the filing fee within the specified time, this action will be dismissed without further notice.

IT IS SO ORDERED.

Dated: **July 16, 2020**


UNITED STATES DISTRICT JUDGE